

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			

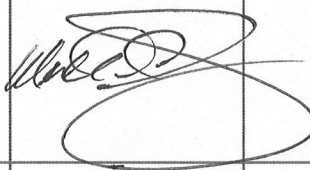
REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="margin-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p style="margin-left: 20px;">b. A City adopted plan; or</p> <p style="margin-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code. Please provide an attachment describing the justifying circumstance.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<p><input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input type="checkbox"/> Proof of Ownership Document(s)</p> <p><input type="checkbox"/> Review Criteria, as identified above</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<p><input type="checkbox"/> Written Authorization to Represent Property Owner(s)</p> <p><input type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity</p>	
Please list any additional attachments:	



REZONING GUIDE

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
Michael Claugus	3504 Vallejo St. Denver, Colorado 80211 (303) 907-8610 michaelclaugus@gmail.com	100%				

Last updated: May 24, 2018

Return completed form to rezoning@denvergov.org

201 W. Colfax Ave., Dept. 205
Denver, CO 80202
720-865-2974 • rezoning@denvergov.org

Rezoning Application Attachments

990 King Street

Denver, Colorado 80204-3113

Assessor's Parcel Number: 0505323001000

Owner: Mr. Michael Claugus

November 29, 2020

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I. Introduction:

The property at 990 King Street is an empty lot currently zoned as E-SU-D. The property is 6,250 square feet in area, where the West side fronts King Street and the North side fronts 10th street. The South side of the lot shares a property line with Lot 3, Block 18, and the East side is an alley way at the back entrance to the site.

The site is situated in the Villa Park neighborhood which consists primarily of single-family housing, with Row Homes and multiple-unit structures scattered throughout. The neighborhood is under a lot of renovation to meet modern standards and appeal. Multi-unit residential housing is under construction north east of this site on Knox Court.

The owner, Michael Claugus, wishes to rezone said address as E-TU-C, which allows for the following building forms: urban house, detached accessory dwelling unit, duplex, and tandem house on a lot size greater than 5,500 square feet. The proposed rezoning of 990 King St. would allow the owner to build a two-story duplex structure and detached garage which would comply with Denver Zoning Codes and Blueprint Denver 2019.

A. Legal Description

Lots 1 and 2, Block 18, Villa Park
City and County of Denver, State of Colorado

B. Location of Property

990 King Street
Denver, Colorado 80204-3113
Council District 3
Villa Park Neighborhood



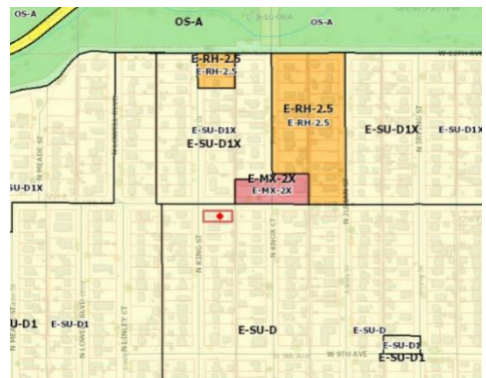
C. Assessor's Parcel Number

0505323001000

D. Current Site Data

Site has been scraped and is Vacant
Current Zoning – **E-SU-D**
Adjacent to:

E-SU-D (Single-Unit Residential)
E-SU-D1x
E-SU-D1
E-MX-2x (Multi-Unit Residential)
E-RH-2.5 (Commercial/Retail)



E. Existing Context

Land Use: Residential



II. Consistency with Adopted Plans

A. Denver's Comprehensive Plan 2040

Denver's Comprehensive Plan, Goal 1, Strategy A states: "Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities." *Strategy A states:* "Increase development of housing units close to transit and mixed-use developments."

Existing zoning in surrounding neighborhoods consists of multi-unit districts/housing. A Multi-unit district zoning contributes to growth, which can be affordable, equitable and inclusive. If rezoning is granted for 990 King Street (Lots 1 and 2), the rebuilding of an aesthetically architectural design duplex, compliant with all codes and zoning regulations, would help revive the neighborhood appearance. The proposed structure is situated on a local corridor and will have impactful presence.

This site is located minutes from local transit and other mixed-use developments in the surrounding neighborhoods and Colfax Avenue.

Denver's Comprehensive Plan, Goal 8, Strategy A states: "Clean our soils, conserve our land and grow responsibly and promote infill development where infrastructure and services are already in place."

Prior to the proposed rezoning 990 King Street (Lots 1 and 2), the residential structure which existed at 990 King Street was unsafe and unhealthy to the former residents and the surrounding neighborhood. The structure has since been demolished, while preserving a large, old tree. Because the former residence was not in any condition to renovate or preserve, a new structure, which will follow current building codes, would enhance the neighborhood appearance, and provide new landscaping that is environmentally resilient.

Denver's Comprehensive Plan, Goal 1, Strategy D states: "Create a city of complete neighborhoods. Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities."

Quality infill development is capital intensive, yet self-promoting. Denver's comprehensive plan is one such plan which back the efforts of individuals like Mr. Claugus to deploy capital for the mutual benefit of the homeowner and the neighborhood alike. It is self-promoting in that neighborhood revitalization gains traction through said capital-intensive efforts. Mr. Claugus hopes to contribute to the momentum which is bringing positive change to the Villa Park neighborhood.

The increase in property value would be imminent, as these efforts have backing from the City of Denver.

The Villa Park Neighborhood plan dates back to April, 1991. Although the plan is dated, many neighborhood goals exist that promote rezoning in this area. Goals specific to this proposed rezoning include but are not limited to: planting trees and improved maintenance of, establishing a neighborhood identity, enhancing the appearance and quality of neighborhood housing and improving neighborhood environmental conditions. A rebuild of a multi-unit at this site would comply with these goals in addition to enhancing the safety within the neighborhood via the modernization of housing and updated architectural styles. The 1991 plan also includes a "vision" to protect residential character and have a mix of affordable housing within rentals of single-family housing. This neighborhood plan encourages housing rehabilitation and renovations. 990 King Street would provide these amenities, capitalizing on the encouragement of duplexes scattered throughout the neighborhood.

B. Blueprint Denver 2019 & Consistency with Neighborhood Context, Zone District Purpose and Intent

Per Blueprint Denver 2019 and with regards to growth in the City of Denver, this site location is in an area of growth. Growth is particularly common along corridors and this site sits within a Local Corridor. Blueprint Denver also states, *"the growth strategy for certain future places is anticipated to take on more jobs and housing than others, but all areas of Denver are expected to evolve."* A rezoning in an area planned for less growth may still be appropriate, as smaller-scale growth and reinvestment should be occurring in these areas as well." (pg. 67)

A rezone to E-TU-C would help the City of Denver in its growth transition.

Section 4.1.1 Urban Edge General Character

"Urban Edge contains elements of the suburban and urban contexts. Small multi-unit residential and commercial areas are typically embedded in 1-unit and 2-unit residential areas. Block patterns are generally regular with a mix of alley access. Buildings are lower scale and generally set back farther from the street."

The proposed new building structure would be a 2-story duplex with detached garage, (small multi-unit) residence of lower scale and set back from King Street with vehicle access from the back of the lot through the alley accessway.

Lot 1 and 2 of 990 King Street reside on a “Local and Residential Corridor:” 10th Street and Knox Court. King Street is 2 blocks West of this intersection. The area is minutes from Knox Station Transit on Knox Court and has easy access to downtown Denver. This site is also within walking, and biking distance of the Lakewood Gulch and Paco Sanchez Park. The Villa Park Neighborhood is nearby cultural/church centers, schools, and recreation centers.



Section 4.2.2 Residential Districts

990 King Street (Lots 1 and 2, Block 18) of Villa Park sit in a residential district committed to preserving the character of the Urban Edge Neighborhood context. Building form and design standards promote specific consistency within neighborhoods and reinforce building scale, setbacks, and yard space. These districts are meant to regulate the integrity of the residential neighborhood. 4.2.2.2 *Specific Intent, Item J: E-TU-C* allows up to two units on a site of 5,500 square feet, 990 King Street is a site of 6,250 square feet. This zoning also allows building forms of urban house, detached accessory dwelling unit, duplex and tandem house forms.

Blueprint Denver Goal 1, Housing: *“Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. Accessory dwelling units (ADUs) can add variety to the housing stock in low density residential neighborhoods with significantly changing the existing character.”* Specifically, this goal allows ADUs in all neighborhood contexts and residential zone districts. Goal 1 & 6 also promote *“revising the zoning code to all ADU’s as accessory to more uses that only single-unit homes.”* (pg 85)

III. Uniformity of District Regulations & Restrictions

“The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.”

The proposed rezoning of Lots 1 and 2 would remain within a residential district and zoning. Upon approval of the rezone, the building and design standards would be implemented and consistent with uniformity of structures built on this site.

IV. Public Health, Safety & General Welfare

“The proposed official map amendment furthers the public health, safety and general welfare of the City.”

The proposed rezoning of 990 King Street (Lots 1 and 2) would fulfill the City of Denver’s plan to provide equitable, affordable, and inclusivity in housing which *“furthers the public health, safety and general welfare”* for all Denverites.

Actions related to Denver’s Comprehensive Plan 2040 are to create safe and connected neighborhoods. This proposed residential project of increased density is proximal to the Light Rail, enabling more individuals the great access the RTD system provides. This proposed project further supports the Plan’s scope providing mobility choices. There are miles of bicycle trails connecting the nearby neighborhoods and a duplex structure would prove more people access.

Similar focal points are of topic in Blueprint Denver. General welfare prioritizes multi-modal forms of transit to include bicycle and public transit. The city has done a great job in constructing bicycle lanes and train stations – getting more people to enjoy these opportunities through increased residential density is likewise aligned with Blueprint Denver.

Additional zoning of the E-TU-C type provides a slight increase to housing options in what has traditionally been the single-family neighborhood of Villa Park. A zoning amendment to E-TU-C will provide more people the benefits the city has for Denverites.

V. Justifying Circumstances

“Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:

- a. Changed or changing conditions in a particular area, or in the city generally; or,*
- b. A City adopted plan; or*
- c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.*

City plans like Blueprint Denver and the Comprehensive Plan both point to a desire to increase density for the affordability of Denverites. We believe it is in the city's best interest to grant a rezone to E-TU-C.

VI. Conclusion

As the City of Denver strives to improve access to opportunity for all Denverites, 990 King Street of the Villa Park Neighborhood, is at present at odds with City Plans due to its minimal density.

The Denver Comprehensive Plan 2040 and Blueprint Plan 2019 outline the city's desires to create equitable, affordable housing and promote the city's vision to rebuild residential communities. Mr. Claugus believes the proposed rezoning of 990 King Street (Lots 1 and 2) will support the city's plans.

"The 990 King Street Pre-Application Request: E-SU-D to E-TU-B, E-TU-C, E-RH-2.5, E-MU-2.5, 9/22/2020" research document has provided substantial data which exists in this rezoning application document. The data provided, supports a rezoning from E-SU-D to E-TU-C.

Finally, the information in this document describes how the proposed rezoning would support a safe, healthy, affordable and environmental revitalization to the existing 990 King Street (Lot 1 and Lot 2, Block 18) of Villa Park, Denver, Colorado.

WARRANTY DEED

THIS DEED, Made this 28th day of November, 2018 between

Vincent L. Trujillo

of the City and County of Denver, State of Colorado, grantor and

Michael Vincent Claugus

whose legal address is: 6343 W 6th Ave, Lakewood, CO 80214
of the County of ~~Denver~~, State of Colorado, grantee:

WITNESSETH, That the grantor for and in consideration of the sum of One Hundred Forty-Five Thousand Dollars and No/100's (\$145,000.00) the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the City and County of Denver, and State of COLORADO, described as follows:

Lots 1 and 2, Block 18, Villa Park,
City and County of Denver, State of Colorado.

Doc Fee
\$ 14.50

also known by street and number as 990 King Street , Denver, CO 80204-3113

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensailing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except all taxes and assessments for the current year, a lien but not yet due or payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Bayer in accordance with section 8.1 "Title Review", of the contract dated November 18, 2018, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

SELLER:


Vincent L. Trujillo

STATE OF COLORADO
COUNTY OF ADAMS

}ss:

The foregoing instrument was acknowledged before me this 28th day of November, 2018 by Vincent L. Trujillo


Notary Public

Witness my hand and official seal.
My Commission expires:

BRANDE READER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024030230
MY COMMISSION EXPIRES OCTOBER 2, 2022



WDS/KTTD